

In re Application of: Moore et al.
Application No.: 09/840,368

Remarks

In the application, claims 11 and 18 through 26 are pending. No claims currently stand allowed.

The Office Action dated June 28, 2004, has been carefully considered. The Office Action rejects claims 16 and 17 under 35 U.S.C. § 101 as directed toward non-statutory subject matter and objects to claims 12 and 15 because computer-readable medium claims should not depend from method claims. Claims 13 and 15 are rejected under 35 U.S.C. § 102(b) as anticipated by, or under 35 U.S.C. § 103(a) as obvious in light of, the publication "Location-Aware Mobile Applications Based on Directory Services" ("Maass"). Claims 1, 4 through 10, and 14 are rejected as obvious in light of Maass and U.S. Patent 6,255,944 ("Hayes"). Claims 2 and 3 are rejected as obvious in light of Maass, Hayes, and the Admitted Prior Art. Claims 11 and 12 are rejected as obvious in light of Hayes, U.S. Patent 6,145,126 ("Matsukura"), IBM Technical Disclosure Bulletin NB83129316 ("IBM"), and U.S. Patent Application Publication US 2003/0083931 A1 ("Lang"). Claim 16 is rejected as obvious in light of Matsukura and Lang. Finally, claim 17 is rejected as obvious in light of Matsukura, Lang, and U.S. Patent 6,477,576 ("Angwin").

Claim 11 is amended in order to more particularly point out and distinctly claim the subject matter of the present invention. The amendments to claim 11 are supported by the specification at, for example, page 19, line 3, through page 25, line 6, and Figures 5 through 11D. While the cited art describes determining *one* physical location for a computing device, claim 11, as amended, describes the more complicated scenario in which the computing device is connected to multiple networks: Those multiple networks may differ in their views as to where the computing device is physically located (e.g., because the networks support different means of determining that physical location). The cited art does not anticipate the necessity of discovering multiple, and possibly differing, indications of physical location and providing those multiple indications to an application. For example, the following elements of claim 11 do not exist in the cited art:

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Claim 11: discovering that *the computing device is attached to a second network*, the second network different from the first network;

upon gaining connectivity to the second network, discovering information about the second network, the information comprising second physical location information;

if the second physical location information differs from the first physical location information, then providing the second physical location information to the application.

(Emphasis added.) This ability to handle multiple networks, and their related physical location information, places claim 11 beyond the scope of the cited art.

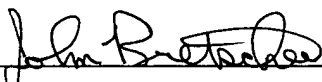
Claim 26 is the only other pending independent claim, and as it is a Beauregard version of claim 11's method, it is patentable for the same reasons that claim 11 is patentable.

Thus, the cited art neither anticipates nor renders obvious the presently pending independent claims 11 and 26. The remaining pending claims are dependent upon these claims and are thus allowable for at least the reasons given above. Applicants request that the rejections be withdrawn and that all currently pending claims be allowed.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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